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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2004 JUN 22 P 12:07

U.S. DISTRICT COURT
DISTRICT OF MASS.

MICHAEL CAPUTO,

Petitioner,

VS.

Civil Action No. 04-10732-JLT

KENNETH NELSON


Respondent.

**ASSENTED-TO MOTION FOR EXTENSION OF TIME IN WHICH TO FILE
AND SERVE A REPLY MEMORANDUM TO THE RESPONDENT'S
MEMORANDUM OF LAW, ETC.**

The petitioner, Michael Caputo, through counsel, now appears and requests an extension of the time in which he must file a reply memorandum to the respondent's Memorandum of Law for a period of thirty days, up to and including August 16, 2004. In support of the motion, the petitioner states that pursuant to this Court's order a reply memorandum is due on or before July 16, 2004. The undersigned attorney is scheduled to be on vacation from July 3, 2004 through August, 2004. Moreover, the respondent's counsel has given her assent to this motion and the petitioner himself assents to this motion.

WHEREFORE, the petitioner respectfully requests that this Court grant him until August 16, 2004 to file a reply memorandum to the Repondent's Memorandum of Law.

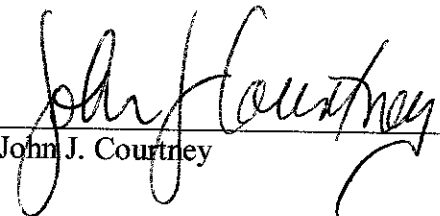
Respectfully submitted,


John J. Courtney BBO#102460
90 Salem Street
Malden, MA 02148
781-321-5700

Dated: June 21, 2004

CERTIFICATE OF SERVICE

I hereby certify that I have this 21st day of June, 2004 served a true and accurate copy of the foregoing pleading on counsel for the respondent, Kenneth Nelson, by first class mail, postage prepaid, to the respondent's counsel at the following address: Maura D. McLaughlin, Assistant Attorney General, Criminal Bureau, One Ashburton Place, Boston, MA 02108.


John J. Courtney